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Security Council

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Resolution 1616 (2005)

Adopted by the Security Council at its 5243rd meeting, on 29 July 2005

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolutions 1493 of 28 July 2003, 1533 of 12 March 2004, 1552 of 27 July 2004, 1565 of 1 October 2004, 1592 of 30 March 2005 and 1596 of 18 April 2005,

Reiterating its serious concern regarding the presence of armed groups and militias in the Eastern part of the Democratic Republic of the Congo, particularly in the provinces of North Kivu and South Kivu and in the Ituri district, which perpetuate a climate of insecurity in the whole region,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to closely monitor compliance with the arms embargo imposed by resolution 1493 and expanded by resolution 1596, and to enforce the measures provided for in paragraphs 13 and 15 of resolution 1596 against persons and entities acting in violation of this embargo,

Recognizing the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation and trafficking of arms as one of the factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Taking note of the report of the Group of Experts referred to in paragraph 10 of resolution 1533 and paragraph 21 of resolution 1596 (hereafter the Group of Experts), dated 5 July 2005 (S/2005/436), transmitted by the Committee established in accordance with paragraph 8 of resolution 1533 (hereafter the Committee),

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the demands of paragraphs 15, 18 and 19 of resolution 1493 and of paragraphs 5 and 19 of resolution 1596;

2. *Decides*, in light of the failure by the parties to comply with the demands of the Council, to renew until 31 July 2006 the provisions of paragraphs 20 to 22 of

resolution 1493, as amended and expanded by paragraph 1 of resolution 1596, and reaffirms paragraphs 2, 6, 10 and 13 to 16 of resolution 1596;

3. *Expresses* its intention to modify or to remove those provisions if it determines that the demands noted above have been satisfied;

4. *Requests* the Secretary-General, in consultation with the Committee, to re-establish the Group of Experts within thirty days from the date of adoption of this resolution and for a period expiring on 31 January 2006, drawing, as appropriate, on the expertise of the members of the group of experts established pursuant to resolution 1596;

5. *Requests* the Group of Experts to continue fulfilling its mandate as defined in resolutions 1533 and 1596, to update the Committee on its work by 10 November 2005, and to report to the Council in writing, through the Committee, before 10 January 2006, including on the implementation of the measures imposed by paragraph 20 of resolution 1493 and expanded by resolution 1596, with recommendations in this regard, in particular regarding the lists provided for by paragraph 10 (g) of resolution 1533, and including information on the sources of financing, such as from natural resources, which are funding the illicit trade in arms;

6. *Decides* to remain actively seized of the matter.